

E-FILED

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JUL 16 2008 FILED

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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 08-70029 HRL  
12 Plaintiff, )  
13 v. )  
14 ALONSO CALERO-LOPEZ, )  
15 Defendant. )  
16 \_\_\_\_\_)

) STIPULATION TO EXTEND TIME FOR  
PRELIMINARY HEARING AND  
EXCLUDE TIME; [PROPOSED] ORDER  
Hon. Howard R. Lloyd

17 Defendant and the government, through their respective counsel, hereby stipulate that,  
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for  
19 Thursday, July 17, 2008, at 1:30 p.m. be continued to Thursday, August 21, 2008, at 1:30 p.m.  
20 The continuance is requested to allow time for further pre-charge negotiation and defense  
21 investigation.

22 The parties further agree that time should be excluded under the Speedy Trial Act from  
23 July 17, 2008 to August 21, 2008, to allow time for defense investigation and preparation, and  
24 because the ends of justice outweigh the defendant's and the public's need for a speedy trial.

25 Finally, in order to allow additional time for pre-charge negotiations, the parties also  
26 agree that time should be extended for the defendant's preliminary hearing pursuant to Federal

STIPULATION TO EXTEND PRELIM.  
HEARING DATE; [PROPOSED] ORDER  
No. CR 08-70029 HRL

1 Rule of Criminal Procedure 5.1(d), taking into account the public interest in the prompt  
2 disposition of criminal cases.

3

4 Dated: 7/14/08

/s/  
LARA S. VENNARD  
Assistant Federal Public Defender

5

6 Dated: 7/15/08

/s/  
TOM O'CONNELL  
Assistant United States Attorney

7

**ORDER**

8

9 The parties have jointly requested a continuance of the hearing set for July 17, 2008, to  
10 allow time for continued pre-charge negotiation and continued defense investigation.

11

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date  
13 presently set for July 17, 2008 at 1:30 p.m. be continued to August 21, 2008, at 1:30 p.m.

14

15 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time  
16 from July 17, 2008, to August 21, 2008, shall be excluded from the period of time within which  
17 trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

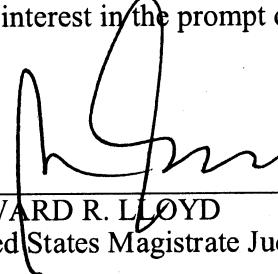
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19 Finally, due to the parties' efforts to engage in pre-charge negotiations, it is ORDERED  
20 that time should be extended for the defendant's preliminary hearing pursuant to Federal Rule of  
21 Criminal Procedure 5.1(d), taking into account the public interest in the prompt disposition of  
22 criminal cases.

23

Dated:

7/16/08

  
HOWARD R. LLOYD  
United States Magistrate Judge

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26

STIPULATION TO EXTEND PRELIM.  
HEARING DATE; [PROPOSED] ORDER  
No. CR 08-70029 HRL